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Elections to fill vacancies in subsidiary organs and other elections: election of fourteen members of the Human Rights Council

Note verbale dated 5 June 2013 from the Permanent Mission of China to the United Nations addressed to the President of the General Assembly

The Permanent Mission of the People's Republic of China to the United Nations presents its compliments to the President of the General Assembly and has the honour to inform him that the Chinese Government has decided to present its candidature for the Human Rights Council for the term 2014-2016 at the elections to be held in New York in 2013, during the sixty-eighth session of the Assembly.

The Chinese Government respects the principle of the universality of human rights and has made unremitting efforts for the promotion and protection of the human rights and fundamental freedoms of the Chinese people. China earnestly fulfils its obligations under relevant international human rights treaties, cooperates with United Nations human rights mechanisms and engages constructively in the institutional building of the Human Rights Council, the universal periodic review and consideration of all the items before the Council. Through its efforts, China has helped to promote constructive dialogue and cooperation in the international field of human rights. The Chinese Government is convinced that its membership in the Council will be conductive to the noble cause of the Council in promoting and protecting human rights. An aide-memoire regarding the Chinese candidature for the Council is attached hereto (see annex).

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Annex

Aide-memoire

The Government of the People's Republic of China has decided to present its candidature for the election to the Human Rights Council for the term 2014-2016, which will be held in New York during the sixty-eighth session of the General Assembly.

The Chinese Government is committed to the promotion and protection of the human rights and fundamental freedoms of the Chinese people, and has worked unremittingly towards this goal. Although the international financial crisis has had a considerable negative impact, the Chinese Government has persisted in the people-oriented scientific outlook on development, combined handling of the international financial crisis with the protection of human rights and carried out a series of measures to maintain economic growth, promote reforms and improve the livelihood of people. The past few years have witnessed new achievements in the promotion and protection of human rights. The pledges and commitments made in its last campaign have been fulfilled, as follows:

(a) Promulgating and implementing the first national human rights action plan (2009-2010). All targets have been achieved according to the final assessment report;

(b) Investing 4 trillion yuan to cope with the financial crisis. Great efforts have been made to promote programmes related the well-being of the people, including low-income housing projects, rural infrastructure and medical and health-care services;

(c) Establishing a nationwide framework for basic medical and health-care systems;

(d) Providing safe drinking water for 122 million rural residents;

(e) Completing the three-year recovery and reconstruction programmes in areas devastated by the massive Wenchuan earthquake. The basic living conditions and economic development level in disaster areas have reached or exceeded those before the earthquake;

(f) Gradually putting in place a system that ensures payment for rural migrant workers and increasing the minimum wage by a big margin;

(g) Promulgating the national medium- and long-term plan for educational reform and development, with nine years of compulsory education for the entire nation;

(h) Adopting 30 laws and regulations closely related to human rights;

(i) Establishing a socialist system of laws with Chinese characteristics, which ensures that there are laws to abide by in economic, political, cultural and social development;

(j) Revising the Electoral Law to elect deputies to the people's congresses based on the same population ratio in urban and rural areas;

(k) Advancing the reform of the judicial system. Judicial organs continue to strengthen the prudent application of the death penalty. Criminal law has been

amended to abolish the death penalty for 13 types of economic and non-violent crimes;

(l) Implementing standardized sentencing reforms on a trial basis in courts at all levels throughout the country, regulating the use of discretionary power in criminal cases;

(m) Disclosing court-trial information;

(n) Issuing the regulation on the exclusion of illegal evidence in criminal cases to guarantee the rights of the criminal suspects;

(o) Expanding citizens' participation in political affairs in an orderly manner, ensuring citizens' rights to be informed of government affairs and to express their opinion. The number of Internet users has exceeded 500 million;

(p) Further guaranteeing the rights to employment and economic resources, and equal participation in State and social affairs by minority ethnic groups, women and other special groups;

(q) Basically establishing a bilingual education mode that suits the language environment and educational conditions of ethnic groups;

(r) Improving rehabilitation services for people with disabilities.

China has earnestly fulfilled its obligations under the international human rights conventions to which it has acceded. For example, it submits reports on implementation in a timely manner to relevant treaty bodies, including the second report on the International Covenant on Economic, Social and Cultural Rights, the third and fourth combined report on the Convention on the Rights of the Child and the first report on the Convention on the Rights of Persons with Disabilities. The Chinese Government continues to participate actively and constructively in the work of the Human Rights Council and in its special session as well as the universal periodic review. China has maintained good cooperation with the human rights special procedures, responded in a timely manner to the communications transmitted by them and received the Special Rapporteur on the right to food in December 2010. China attaches great importance to the role of the Office of the United Nations High Commissioner for Human Rights (OHCHR), has made annual donations to provide support for its work and has maintained good cooperation with the Office. China continues to conduct bilateral human rights dialogues and consultations with nearly 20 countries and regions based on equality and mutual respect.

China is a developing country with a population of 1.3 billion persons. Development between its rural and urban areas and among different regions is uneven. Therefore, much work remains to be done in the field of human rights. The Chinese Government has introduced effective measures to promote scientific development and social harmony, and strived for a happier life with more dignity for its people. The Chinese Government has formulated the twelfth five-year plan for national economic and social development. It clearly stipulates action plans for the improvement of the livelihood of people to ensure that all people share the fruits of reform and development. Currently, China is drafting the new national human rights action plan (2012-2015) based on the twelfth five-year plan. The Chinese Government wishes to take this opportunity to make the following solemn pledges:

(1) **To exert efforts to improve the livelihood of people, ensuring their economic, social and cultural rights**. China will give high priority to promoting employment, raising the proportion of national income distributed to individuals, increasing the proportion of wages in the primary distribution of income and reversing the widening income gap trend. China will improve the system of subsistence allowances for both urban and rural residents, gradually expand the scope of social welfare and improve national welfare, with a focus on providing support for the elderly, assisting the disabled, aiding the orphans and helping the poor. China will improve the basic medical and health system, covering both urban and rural areas, realize full coverage under the new old-age insurance system for rural residents and implement the national health action plan. China will make efforts to establish a housing supply system, in which the Government mainly provides a basic guarantee and the market meets multilevel needs. China will persist in giving priority to the implementation of the strategy of large-scale development of the western region in the country's overall regional development scheme and provide special policy support for the western region. China will allocate public education resources rationally, giving preferential treatment to rural, remote, poor and ethnic minority areas, so as to rapidly narrow the education gap;

(2) **To continue to strengthen the development of democracy and the rule of law, improve institutions for democracy, push forward the reform of the judicial system and further protect civil and political rights**. China will improve institutions for democracy, diversify its forms, expand its channels and practise democratic elections, decision-making, administration and oversight in accordance with the law, and protect the rights of the people to be informed of, participate in, express views about and oversee government affairs. China will stick to the policy of ensuring freedom of religious belief. China will comprehensively implement the fundamental principle of the rule of law, persist in scientific and democratic legislation, and improve the socialist system of laws with Chinese characteristics. China will consolidate the reform of the judicial system, optimize the distribution of judicial functions and powers, standardize judicial practices and build a just, effective and authoritative judicial system. China will continue to push forward the work on the revision of the Criminal Procedure Law and the Civil Procedure Law, improve coordination between the administrative law enforcement and criminal justice systems, and push forward law-based government administration and impartial and fair law enforcement. China will implement the sixth five-year plan to educate the public about the law. China will actively improve the system for transparency in government affairs and strengthen the restraint and oversight of the exercise of power;

(3) **To further protect the rights and interests of minority ethnic groups, women, children and persons with disabilities**. China will guarantee the lawful rights and interests of ethnic minorities, promote ethnic unity through publicity and education, and reinforce and develop ethnic relations, featuring equality, unity, mutual support and harmony. China will strengthen maternal and child health-care programmes, increase the proportion of women who receive vocational education and training, and eliminate gender discrimination in employment. China will improve the basic medical care system, covering children in both rural and urban areas, ensure access by children to higher quality education, expand the coverage of the child welfare system and improve the legal system and institutions for the protection of children. China will implement the outline for the development of

Chinese women (2011-2020) and the outline for the development of Chinese children (2011-2020). China will expedite the development of a social services system for the elderly, foster and strengthen the industry that provides old-age services and intensify the development of non-profit old-age service facilities. China will improve the social security and services system for people with disabilities, work hard to provide employment service and vocational training for the disabled, and enrich the life of the disabled in the areas of culture and sports;

(4) **To continue to take an active part in the work of the Human Rights Council and the Third Committee of the General Assembly, and encourage United Nations human rights agencies to deal with human rights issues in a fair, objective and non-selective manner**. China will earnestly fulfil its obligations set out in the international human rights conventions to which it has acceded, submit reports on implementation in a timely manner, and receive considerations by relevant treaty bodies, including the Committee on Economic, Social and Cultural Rights. China will be ready for the second round of the universal periodic review and engage in constructive dialogue with other countries. China will continue to cooperate with human rights special procedures, respond in a timely manner to the communications transmitted by them, carefully consider the requests to visit of the special rapporteurs, bearing in mind its receiving capability and the balance between civil and political rights, and economic, social and cultural rights. China will continue to conduct international exchanges and cooperate on human rights, and carry out bilateral human rights dialogues and consultations with relevant countries and regions in line with the principle of equality and mutual respect. China will continue to carry out technical cooperation on human rights with OHCHR.

The full realization of human rights is an important goal of China in building a moderately prosperous society in all aspects and a harmonious socialist society. China is ready to work with the rest of the international community to better protect and promote human rights in China and promote the sound development of international human rights undertakings. China will make unremitting efforts to build a harmonious society of enduring peace and common prosperity.